

## LEA AUTHORIZATION FOR THE ASBESTOS CONTAINING WASTE PROGRAM

### Purpose and Scope of this Advisory

This advisory replaces LEA Advisory No. 1, issued October 6, 1992. It is intended for use by Local Enforcement Agencies (LEAs) impacted by Chapter 3.5 of the California Code of Regulations. This advisory will focus on Articles 1 and 5 of Chapter 3.5 CCR, since Articles 2-4 are directed at operator performance requirements.

### Background of the ACW Regulations

Asbestos, a carcinogen, is considered a hazardous material when disposed in waste which contains greater than 1% friable asbestos. Asbestos containing waste (ACW) materials have historically been deposited at solid waste disposal sites. Prior to 1994, the authority to regulate friable ACW rested solely with the Department of Toxic Substances Control (DTSC).

The passage of Chapter 1227, Statutes of 1994 (AB 688, Sher) changed this and gave the Board the responsibility of regulating asbestos containing waste, as defined in Section 25143.7 of the Health and Safety Code, at solid waste facilities that fall under its regulatory purview (which excludes asbestos monofills). Furthermore, Section 44820 of the Public Resources Code (PRC) specifically mandated the Board to develop regulations creating an inspection, permitting, and enforcement program for the disposal of asbestos containing waste. State law also required the Board to enter into an Memorandum of Understanding (MOU) with DTSC delineating the enforcement duties of the Board and DTSC. In compliance with the above Legislative mandates, the Board carried out the following:

- Signed an MOU with DTSC on May 18, 1995;
- Adopted emergency ACW regulations on August 1, 1996; and
- Established permanent ACW regulations on January 13, 1997.

The Board decided to develop the ACW regulations relying on the use of performance rather than prescriptive standards. Consequently, not every implementation aspect associated with LEA standards and authorization was spelled out as regulatory text. This was done with the knowledge that implementation issues arising from this regulatory language would not only require close Board/LEA interaction, but would also allow for LEA flexibility in meeting established ACW requirements.

## Overview of the ACW Regulations

*A Guide to Standards for the Handling and Disposal of Asbestos Containing Waste at Solid Waste Disposal Sites* (Attachment 1) explains in easy-to-read layman's terms along with the regulatory text, the ACW regulations which consist of the following five articles:

- Article 1 discusses the general provisions related to the purpose, scope and applicability aspects of the ACW regulations. It also deals with compliance schedules applicable to non-hazardous disposal sites regulated by the Board.
- Article 2 focuses on general standards for the designated ACW disposal area with regard to location, design, construction, operation, and maintenance.
- Article 3 outlines the requirements for excavation of buried ACW.
- Article 4 reminds the owner/operator that ACW disposal sites must meet specific requirements for closure and post closure as required for other solid waste landfills.
- Attachment 2 is the Field Data Collection Checklist that corresponds with articles 2-4.
- Article 5 contains the requirements LEAs must satisfy before being authorized to enforce the ACW regulations.

## Questions about the ACW regulations

Below are questions received to date regarding the ACW authorization program.

Q: *For Whom do the LEA Standards and Authorization Apply?*

A: The LEA standards and authorization requirements only apply to LEAs having non-hazardous waste disposal facilities and unclassified waste management units which have Waste Discharge Requirements (WDRs) that provide for the disposal of friable ACW.

Q: *For Whom do LEA Standards and Authorization Requirements Not Apply?*

A: LEA standards and authorization requirements do not apply to LEAs who opt to not request authorization, or have no non-hazardous waste disposal facilities or unclassified waste management units which dispose of friable ACW within their jurisdictions, or those LEAs having friable ACW monofills which are located at solid waste facilities not regulated by the Board (Class I disposal sites) or illegal dumping.

Q: *Do LEA Standards and Authorization requirements supersede other agencies' requirements?*

A: No. Each regulatory agency develops ACW regulations for a specific purpose. The Board developed LEA standards and authorization provisions for ACW in accordance with State law. These provisions were created to meet mandated regulatory oversight at solid waste landfills accepting friable ACW. The Board and its certified LEAs are responsible for keeping track of which agency enforces a particular ACW regulation in order to prevent regulatory overlap to the maximum extent possible.

Q: *What Triggers Applicability of LEA Standards and Authorization?*

A: The conditions which would trigger the LEA standards and authorization mechanisms are summarized as follows:

LEAs having solid waste facilities that **already** dispose of ACW in accordance with Section 25143.7 of the Health and Safety Code should be currently meeting, or shortly come into compliance with the LEA standards and authorization criteria (see 14 CCR §17897.15).

- LEAs having solid waste facilities that **intend** to dispose of ACW in accordance with Section 25143.7 of the Health and Safety Code will be required to meet LEA standards and authorization criteria (see 14 CCR §17897.15).

Using the matrix below, LEAs need to determine one of the following: (a) whether the agency will implement only specific portions of this chapter (provisional authorization); or (b) the agency will implement all of the provisions of this chapter (full authorization); or c) whether it will rely on the Board for existing ACW regulatory responsibilities. LEAs are required to request authorization from the Board in writing and may use CIWMB Form (# pending) (Attachment 3).

### For Which Type of Authorization Can I Apply?

My jurisdiction has:

Provisional

Full\*

(a) An unpermitted facility which accepts ACW	X	
(b) A permitted facility whose permit addresses ACW and is disposing of ACW before the regulations were adopted.**	X	X
(c) A permitted facility that disposes of ACW but whose permit does <u>not</u> address ACW disposal.	X	
(d) A permitted facility that has not disposed of ACW but intends to.	X	X
(e) A new facility that intends to dispose of ACW.		X

\* LEA must meet all requirements of the Chapter.

\*\* LEA may request provisional authorization in cases where not all requirements can be fulfilled at the time of the request. Upon approval of the RDSI amendments the LEA should apply for full authorization.

**NOTE: All facilities disposing of ACW must be fully permitted for ACW activities by November 29, 1997. LEAs will need to seek full authorization prior to or upon concurrence of a new or revised permit which includes ACW disposal.**

**Q:** Can an LEA who has not obtained authorization from the Board enforce the ACW regulations?

**A:** No, LEAs are required to meet Article 5 of the ACW regulations before being authorized to enforce the ACW regulations.

- For a provisional authorization the LEA shall meet Section 17897.25 (a) (1-2). A provisionally authorized LEA would be responsible for enforcing Sections 17897.15-.16, and 17897.19 (a-c).
- A full authorization must meet the complete section 17897.25 and the LEA would be responsible for enforcing the complete chapter.

*Q. Which EPP components do LEAs need to revise as a part of the authorization application?*

A. At a minimum, components per 14 CCR §18077, #9 (an operating budget demonstrating adequacy of budget resources pursuant to 14 CCR 18074 (b) and (c)), and #10 (a detailed staff training procedure pursuant to 14 CCR §18075) will need to be revised to reflect that the equipment and training requirements of the ACW regulations have been met.

Other components may need revision based on the status of a facility in the LEAs jurisdiction. For example, a new ACW operation on a new facility will need to be reflected in the EPP's comprehensive list, and time task analysis in addition to the budget and training components.

*Q: How does an LEA meet the training requirements set forth in Section 17897.25 (a)(2) and (4) of the ACW regulations?*

A: a) Each employer is responsible for its employees health and safety program which includes health and safety training and the maintenance of its Illness and Injury Prevention Plan (IIPP). Board staff will not "approve" Section 17897.25 (a)(2) of the training requirement. By signing the application form, the LEA Director is certifying the agency's compliance with this section. This Advisory however, provides examples of the training Board staff undergo to satisfy its IIPP with respect to ACW inspections (Attachment 4). This training requirement should be coordinated through your employer's IIPP manager.

In order to meet the intent of the regulation and CCR Title 8, General Industry Safety Orders, the training should include:

1. Recognition of ACW and its physical characteristics;
2. Health hazards associated with ACW;
3. Assessment of the risk of asbestos exposure;
4. Respiratory protection program requirements;
5. Appropriate work practices and control methods;
6. Emergency procedures;
7. Air monitoring requirements and procedures;
8. Medical surveillance program requirements;
9. Proper ACW handling and disposal procedures;
10. Housekeeping and personal hygiene practices.

(reference: CCR, Title 8, Sections 5208, 5144, & 5192)

b) To meet the requirements of Section 17897.25 (a)(4), the LEA must submit an updated EPP training component. This training should include asbestos sampling methodology and practice.

Information regarding State certified training providers may be obtained by calling the Cal/OSHA Asbestos Certification Unit at (916) 574-2993. Information regarding US EPA training contacts can be obtained by calling US EPA, Region 9, Asbestos Program, at (415) 744-1093.

**Q:** *What if an LEA opts to not apply for authorization to enforce this Chapter?*

**A:** If a jurisdiction qualifies by having an ACW facility currently or planned, the Authorization Application form needs to be completed by checking the box stating the LEA opts to not enforce this chapter and understands the Board will carry out its provisions.

**Q:** *How does an LEA comply with the personal protective equipment and sampling equipment provisions stipulated in Section 17897.25 of the ACW regulations?*

**A:** Typical personal protective clothing used during ACW related inspections may include: respiratory protection, disposable coveralls, foot and head coverings, and gloves. Inspectors directly involved in excavation, etc. should wear more specialized protective clothing (i.e. disposable undergarments). The type of protective equipment use will depend on the type of ACW activity that will be performed.

In general employers should provide: (a) respirators and ensure that they are properly used when required; and (b) protective clothing based on the type of inspection being done; No inspector should be engaged in ACW related activities without personal protective equipment she/he has been trained to wear.

Typical sampling equipment may include: large plastic trash bags; ziplock plastic storage bags; labels; plastic sample jar; and a way to wet down the sample such as a water spray bottle.

### **Will Have Questions?**

If you have any questions not answered by this Advisory you can contact Paulino Luna at (916) 255-3882 regarding enforcement issues, Diane Kihara at (916) 255-3300 regarding health and safety training issues, and Mary Coyle at (916) 255-3849 regarding EPP amendments and authorization procedures.

Sincerely,

Dorothy Rice, Deputy Director  
Permitting and Enforcement Division

### **LIST OF ATTACHMENTS**

- ATTACHMENT 1. A Guide to Standards for the Handling & Disposal of Asbestos Containing Waste at Solid Waste Facilities
- ATTACHMENT 2. CIWMB Form 52A, Inspection checklist
- ATTACHMENT 3. ACW Program Application Form
- ATTACHMENT 4. CIWMB Authorized ACW Program

For a complete title listing and/or back copies of LEA Advisories contact the LEA Section at (916) 255-2298.

**A Guide to  
Standards for the handling and disposal of  
Asbestos Containing Waste  
at solid waste disposal sites**



**California Integrated Waste Management Board  
Permitting and Enforcement Division  
Enforcement Branch**

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## About this guide to the ACW regulations

This guide is formatted so that the text of the regulations is accompanied by notes that add clarification. These notations are in the shaded cells to the left of the text of the regulation. The note is a reference or plain English clarification. Some of the subsections are explained in greater detail in the accompanying text.

The shaded cells provide additional information about the requirement

Section number and description

Actual text of the regulation

Standards for the Handling and Disposal of Asbestos Containing Waste		
Page 7		
<b>§17897.19. Additional Requirements</b>		
(a) The owner or operator shall not accept asbestos containing waste without having received an Identification Number as described in section 66260.10, title 22, California Code of Regulations (CCR), following the procedure specified by the Department of Toxic Substances Control.		
(b) The owner or operator shall comply with the applicable title 14 requirements as they apply to landfills and the additional title 8 and title 22 requirements as specified:		
(1) Provide site security as specified in article 7.4 of chapter 3 of this division to prevent unauthorized entry and minimize the unauthorized entry of persons into the designated asbestos containing waste disposal area. These requirements include:		
(A) A surveillance system which continuously monitors and controls entry by the public into the designated asbestos containing waste disposal area or means to control entry into the designated asbestos containing waste disposal area at all times, unless the entire facility meets the above requirements or the facility does not allow public access.		
(B) Post warning signs as specified in this section around the designated asbestos containing waste disposal area. These signs must be posted in a manner so that a person can read them. These signs shall be at least 51 cm X 36 cm (20 inch x 14 inch) and state the following information:		
<p style="text-align: center;"><b>DANGER</b>  <b>Asbestos Waste Disposal Site</b>  <b>Do Not Create Dust</b>  <b>Breathing Asbestos Is Hazardous To Your Health</b></p>		
The top line shall be in at least one and three fourths inch (4.4 cm) type. The second line shall be in at least one inch (2.5 cm) type. The third line shall be in at least three fourths inch (1.9 cm) type. The last line shall be in at least 48 point type. All four lines shall be in Sans Serif, Gothic or Block type. The line spacing shall be equal or greater to the height of the upper line. The legend shall be written in English, Spanish and in any other language predominant in the area surrounding the solid waste facility.		
(2) Maintain disposal site records as specified in article 7.3 of chapter 3 of this division.		
(A) The solid waste facility should ensure that the asbestos containing waste is adequately wet or treated so that it meets this standard prior to disposal.		
(B) The facility shall maintain an operating record as part of the disposal site record. This operating record shall include the following information: the quantity and date of each shipment of asbestos containing waste received, the disposal location(s) of each shipment of asbestos containing waste, a summary report of all incidents which require implementation of the contingency plan, results of inspection required by section 17897.20, and training records as specified in subsection (c)(2)(B) of this section. The operating record shall be maintained until closure of the facility.		

The disposal site needs an EPA Identification Number prior to accepting ACW.

The disposal site must meet the applicable disposal site standards in Title 14 and the additional Title 8 and Title 22 requirements as follows:

The active disposal area must meet the security requirements for solid waste disposal sites including:

Provide a method for continuous monitoring and control of the ACW disposal area. If the entire disposal site is secure or does not allow public access, then this standard is met.

Warning signs must be posted around the active disposal area so that they can be read. The sign must be at least 20"x14".

The sign must state the following:

Each line has a specific minimum letter height. The size of each line was selected to make the sign legible from 25 feet. Sans serif, Gothic and Block fonts are used because they are easier to read at a distance. The legend also needs to be in Spanish and any other common language of the area (e.g., Hmong, Vietnamese, etc.)

A disposal site record must be kept with this additional information:

An adequacy that Title 22 treatment standards are being met.

Operating records are kept by Title 22 and RCRA Subtitle C disposal sites. The information must be maintained until closure of the disposal site. The operating record (or a complete copy) should be kept on site during the active life of the disposal site.

A reference to the source of the requirement

This is an example of a reference and a clarification



## About the additional information for implementing the ACW regulations

The pages at the end of this guide to the ACW regulations have additional information about interpreting the Title 22 inspired requirements. This additional information is included to provide clarification on topics addressed in the text of the regulations. The additional information pages follow this format.

General Topic

Additional References

### HOW DO LAND DISPOSAL RESTRICTIONS APPLY TO ACW DISPOSAL SITES?

For more detailed information on land disposal restrictions in California, refer to: *LDR Handbook, A Guide to Land Disposal Restrictions, March 1997*. Prepared by DTSC Alternative Technology Division.

All hazardous wastes in California are subject to either state or federal land disposal restrictions. Asbestos Containing Waste (ACW) is subject only to the California requirements in Title 22 CCR, Division 4.5, Chapter 18.

#### Restricted vs. Prohibited wastes:

An explanation of terms

**Restricted wastes** are hazardous wastes which are restricted from disposal to land. **Prohibited wastes** are restricted wastes which have a treatment standard in effect. California regulations make **ALL** hazardous wastes restricted wastes. All shipments of restricted wastes must be accompanied or preceded by notification. All shipments of ACW sent for disposal must have an accompanying notification. Typically the notification is sent in advance of the shipment and is kept on file at the disposal site.

#### Notification vs. Certification:

A Notification statement provides information about restricted waste and its treatment standard(s). A Certification statement provides assurance that the waste meets the appropriate treatment standard(s) and may be disposed to land.

Unless a variance or extension is granted, restricted waste becomes a prohibited waste on the effective date of the appropriate treatment standard(s) for that waste. ACW has a treatment standard (22 CCR 66268.114). Shipments of ACW to disposal sites require notifications and certifications. An exception to this requirement is for generators with CA ID numbers issued for residential asbestos abatement or 90 day provisional numbers (see the Text box above). These generators are not required to send a notification and certification.

Is there anything I can tell from the EPA ID number?  
EPA ID numbers (identification numbers) are assigned to generators, transporters, treaters, storers and disposers of hazardous waste. Identification numbers are necessary to track hazardous wastes from the "cradle to the grave." The identification number is assigned by either U.S. EPA (EPA ID Number) or by the Department of Toxic Substances Control (California ID number). EPA ID numbers are reserved for facilities that generate, transport, store, treat or dispose of RCRA hazardous wastes. ACW is not a RCRA hazardous waste. California does regulate ACW as a hazardous waste. In order to track the generation, transportation, storage, treatment and disposal of California hazardous wastes (non-RCRA waste), DTSC assigns California ID numbers to generators that are not otherwise regulated by RCRA. All identification numbers are twelve digits. Begin with the US Postal Service state abbreviation as the first two digits and are followed by either a letter and nine numbers or ten numbers. For example:

3 letters, 9 numbers      2 letters, 10 numbers  
CAD123456789      CA1234567890

The following table illustrates the issuing agency and type of identification numbers that can be seen on a hazardous waste manifest.

Identification number begins with:	Issuing agency	Type
CA	US EPA	EPA ID number for federally owned facility
CAD, CAT	US EPA	Permanent EPA ID number
CAP	US EPA	Provisional EPA ID number (temporary number)
CAL	DTSC	Permanent CA ID number (non-RCRA regulated)
CAC	DTSC	CA ID number (temporary)
CAS	DTSC	CA ID number for emergency response ("haz mat incidents")
CAH	DTSC	CA ID number for Household hazardous waste events
CAE	DTSC	CA ID number for natural disasters
CAX	DTSC	no longer valid

More information on a specific area related to the topic

TITLE 14, DIVISION 7, CHAPTER 3.5.  
STANDARDS FOR HANDLING AND DISPOSAL OF ASBESTOS CONTAINING WASTE

**Article 1. General**

**§17897 Purpose, Scope and Applicability**

*This section states that these regulations only apply to non-hazardous waste landfills and unclassified waste management units which have WDRs from the regional water board allowing for the disposal of ACW.*

*This section also includes general language that other applicable laws, regulations and requirements still apply.*

(a) The purpose of this chapter is to establish minimum standards that define the acceptable management of asbestos containing waste. The standards of this chapter apply only to the owner or operator of a solid waste facility who disposes of asbestos containing waste, pursuant to Health and Safety Code section 25143.7.

(b) Nothing in these Articles shall be construed as relieving any owner, operator, or designee from the obligation of obtaining all required permits, licenses, or other clearances and complying with all orders, laws, regulations, or reports, or other requirements of other regulatory or enforcement agencies, including but not limited to, local health agencies, regional water quality control boards, air quality management districts or air pollution control districts, local land use authorities, and fire authorities.

Note: Authority cited: Section 44820, Public Resources Code.  
References: Section 25143.7, Health and Safety Code.

**§17897.10 Definitions**

*This limits these definitions to this chapter.*

The following definitions are to be used only for the purposes of this Chapter.

*This definition comes from 40 CFR 61.141 (NESHAP regulations).*

"Adequately wet" means waste that is sufficiently mixed or penetrated with liquid to prevent the release of finely divided particles. Spraying water over the surface of asbestos containing waste does not satisfy "adequately wet" requirement.

*This definition is to clarify that ACW is asbestos containing waste which meets the definition under section 25143.7 HSC. It also excludes ACW contaminated with another hazardous waste.*

"Asbestos Containing Waste" or "ACW" means asbestos containing waste managed at a landfill as authorized by section 25143.7, chapter 6.5 of the California Health and Safety Code which contains greater than one percent (1%) friable asbestos by weight. Asbestos containing waste does not include waste contaminated with another hazardous waste as identified in chapter 11, division 4.5, title 22, California Code of Regulations.

*Designated area is defined as to specify the actual active disposal area. The definition requires the area to be defined and located on a survey plat for future identification purposes.*

**"Designated Asbestos Containing Waste Disposal Area"** means an area specifically designated for the disposal of asbestos containing waste at a solid waste facility. A specifically designated area is a dedicated disposal area. The area shall be identified on a survey plat containing the location and dimensions of the area with respect to permanently surveyed vertical and horizontal control monuments. This survey plat shall be prepared and certified by a professional land surveyor licensed in California or a civil engineer authorized to practice land surveying in California. The designated area shall be delineated with physical barriers, such as a fence, and signs.

*Disposal is defined as the final deposition of waste.*

**"Disposal"** means the final deposition of asbestos containing waste onto the land, into the atmosphere or into the waters of the state.

*This is self explanatory.*

**"Enforcement Agency"** means the California Integrated Waste Management Board or its designee.

*Excavation is defined as any activity which results in exposure of buried ACW.*

**"Excavation"** means any activity that exposes buried asbestos containing waste to the atmosphere.

*Handling includes activity incidental to disposal of ACW.*

**"Handling"** means the collection, processing, treatment, or packaging of asbestos containing waste for disposal.

*This definition comes from 40 CFR 61.141.*

**"Leak tight"** means that solids or liquids cannot escape or spill out. It also means dust tight.

*This definition comes from 40 CFR 61.141.*

**"Natural barrier"** means a natural object that effectively precludes or deters access. Natural barriers include physical obstacles such as cliffs, lakes, or other large bodies of water, deep and wide ravines, and mountains. Remoteness by itself is not a natural barrier.

*This definition includes class II, class III and unclassified waste management units to define disposal sites regulated under this chapter.*

**"Solid waste facility"** means any class II or class III landfill as defined in sections 2532 and 2533, chapter 15, title 23, California Code of Regulations (CCR); and any unclassified waste management unit which accepts inert waste as defined in section 2524, chapter 15, title 23, CCR.

*This definition comes from 40 CFR 61.141.*

**"Visible emissions"** means any emissions that are visually detectable without the aid of instrument, coming from asbestos containing waste or from handling and disposal of asbestos containing waste. This does not include condensed uncombined water vapor.

Note: Authority cited: Section 44820, Public Resources Code.

References: Section 25143.7, Health and Safety Code; 40 CFR Part 61 Section 140, Subpart M.

*This subsection applies to unclassified waste management units which were accepting ACW prior to the adoption of the regulations.*

*These disposal sites need to:*

*Meet the minimum standards.*

*A general requirement to meet conditions set by an EA compliance schedule.*

*The disposal site must have a SWF permit within one year after the effective date.*

*This subsection applies to landfills which have a SWF permit that addresses conditions for handling ACW and were accepting ACW prior to the adoption of the regulations.*

*These disposal sites need to:*

*Meet the minimum standards.*

*A general requirement to meet conditions set by an EA compliance schedule.*

#### **§17897.15 Schedules of Compliance**

(a) The owner or operator of a solid waste facility that disposes of asbestos containing waste (ACW) in accordance with section 25143.7 of the Health and Safety Code on or after August 1, 1996 does not possess a solid waste facilities permit shall:

(1) Comply with the security, inspection, manifest system, recordkeeping and reporting requirements specified in this chapter on or before October 30, 1996.

(2) The owner or operator shall implement the approved change(s) according to a schedule of compliance established by the Enforcement Agency.

(3) Obtain a solid waste facilities permit on or before November 29, 1997.

(b) The owner or operator of a solid waste facility that disposes of ACW in accordance with section 25143.7 of the Health and Safety Code on or after August 1, 1996 and has a solid waste facilities permit which regulates the disposal of asbestos containing waste shall:

(1) Comply with the security, inspection, manifest system, recordkeeping and reporting requirements specified in this chapter on or before October 30, 1996.

(2) The owner or operator shall implement the approved change(s) according to a schedule of compliance established by the Enforcement Agency.

*RDSI amendments, if necessary, need to be approved by the EA within one year of the effective date of the regulations.*

(3) Obtain approval for RDSI amendments on or before November 29, 1997.

*This subsection applies to landfills which have a SWF permit that does not address conditions for handling ACW and were not accepting ACW prior to the adoption of the regulations.*

(c) The owner or operator of a solid waste facility that disposes of ACW in accordance with section 25143.7 of the Health and Safety Code on or after August 1, 1996 and has a solid waste facilities permit which does not regulate the disposal of asbestos containing waste shall:

*These disposal sites need to:*

*Meet the minimum standards.*

(1) Comply with the security, inspection, manifest system, recordkeeping and reporting requirements specified in this chapter on or before October 30, 1996.

*A general requirement to meet conditions set by an EA compliance schedule.*

(2) The owner or operator shall implement the approved change(s) according to a schedule of compliance established by the Enforcement Agency.

*The disposal site must have a revised SWF permit within one year after the effective date.*

(3) Obtain a revised solid waste facilities permit on or before November 29, 1997.

*This subsection applies to landfills which already have a SWF permit but were accepting ACW prior to the adoption of the regulations.*

(d) The owner or operator of a solid waste facility that has not disposed of ACW in accordance with section 25143.7 of the Health and Safety Code on or before August 1, 1996 and intends to dispose of ACW shall file an application for a permit revision request pursuant to article 3.1, chapter 5 of this division to the Enforcement Agency and comply with the provisions specified in this chapter.

*This subsection applies to new solid waste landfills or new unclassified waste management units.*

(e) The owner or operator of a new solid waste facility who intends to dispose of ACW in accordance with section 25143.7 of the Health and Safety Code after August 1, 1996 shall file an application for a new permit pursuant to article 3.1, chapter 5 of this division to the Enforcement Agency and comply with the provisions specified in this chapter.

Note: Authority cited: Section 44820, Public Resources Code.  
References: Section 25143.7, Health and Safety Code.

## Article 2. Standards

## §17897.16 General Standards

*This is a general provision for the disposal site to comply with these regulations.*

The owner or operator of any solid waste facility that disposes of asbestos containing waste shall ensure that the designated asbestos containing waste disposal area complies with requirements specified in this division. The designated asbestos containing waste disposal area shall be located, designed, constructed, operated and maintained so that it will protect public health, worker safety, and the environment.

Note: Authority cited: Section 44820, Public Resources Code.  
References: Section 25143.7, Health and Safety Code.

## §17897.18 Design and Operating Requirements

*Owners and operators of ACW disposal sites need to:*

The owner or operator of a solid waste facility that disposes of asbestos containing waste shall:

*Designate a specific ACW disposal area.*

(a) establish a designated asbestos containing disposal area for the disposal of asbestos containing waste as defined in section 17897;

*Control access to the ACW disposal area.*

(b) establish a site control program with work zones and control points at the designated asbestos containing waste disposal area. At a minimum, work zones should be established for the active face, designated disposal area, handling and support areas;

*This subsection prohibits mixing of refuse with ACW.*

(c) segregate asbestos containing waste from refuse. At no time shall asbestos containing waste be disposed with refuse;

*Prevent airborne emissions outside the active disposal area.*

(d) establish a means to prevent any visible emissions outside the designated asbestos containing waste disposal area during handling and disposal operations;

*Don't open/rupture/damage packaging or containers of ACW.*

(e) maintain the integrity of leak-tight containers and/or packaging at all times during the handling and disposal operations;

*No compacting of ACW prior to application of cover.*

(f) minimize the release and exposure of asbestos containing waste after placement in the disposal area by not compacting the waste prior to application of cover, at no time shall compaction equipment come into contact with asbestos containing waste containers or packaging;

*Apply cover material.*

(g) after deposit, the owner or operator shall cover the asbestos containing waste with sufficient cover material to ensure complete coverage of the disposed asbestos containing waste and prevent re-exposure during continuing disposal operations.

*Application of cover should be after deposit of ACW. However, once every "operational hour" should be sufficient. An "operational hour" would occur during active placement of ACW. This subsection also allows for disposal sites with no public access to have an alternate cover frequency as deemed appropriate by the EA.*

(h) cover shall be applied to the asbestos containing waste at a frequency that minimizes releases to the environment and threats to human health, but at a minimum of once every operational hour. An alternative frequency may be prescribed if the Enforcement Agency deems it appropriate and the facility has no public access.

Note: Authority cited: Section 44820, Public Resources Code.  
References: Section 25143.7, Health and Safety Code.

*The disposal site needs an EPA Identification Number prior to accepting ACW.*

#### **§17897.19 Additional Requirements**

(a) The owner or operator shall not accept asbestos containing waste without having received an Identification Number as described in section 66260.10, title 22, California Code of Regulations (CCR), following the procedure specified by the Department of Toxic Substances Control.

*The disposal site must meet the applicable disposal site standards in Title 14 and the additional Title 8 and Title 22 requirement as follows:*

(b) In addition to any requirements already imposed on landfills by Title 14, Division 7, Chapter 3 (commencing with section 17200) and Chapter 5 (commencing with section 18010), and in lieu of any requirements imposed by Title 8 and Title 22, the owner or operator shall comply with the following requirements:



*The active disposal area must meet the security requirements for solid waste disposal sites including:*

(1) Provide additional site security to that required in article 7.4 of chapter 3 of this division (commencing with section 17656) to prevent unauthorized entry of persons into the designated asbestos containing waste disposal area. These requirements include:

*A method for continuous monitoring and control of the ACW disposal area. If the entire disposal site is secure or does not allow public access, then this standard is met.*

(A) A surveillance system which continuously monitors and controls entry by the public into the designated asbestos containing waste disposal area or means to control entry into the designated asbestos containing waste disposal area at all times, unless the entire facility meets the above requirements or the facility does not allow public access.

*Warning signs must be posted around the active disposal area so that they can be read. The sign must be at least 20"x14".*

(B) Post warning signs as specified in this section around the designated asbestos containing waste disposal area. These signs must be posted in a manner so that a person can read them. These signs shall be at least 51 cm X 36 cm (20 inch x 14 inch) and state the following information:

*The sign must state the following:*

DANGER  
Asbestos Waste Disposal Site  
Do Not Create Dust  
Breathing Asbestos Is Hazardous To Your Health

*Each line has a specific minimum letter height. The size of each line was selected to make the sign legible from 25 feet. Sans serif, Gothic and Block fonts are used because they are easier to read at a distance. The legend also needs to be in Spanish and any other common language of the area (e.g., Hmong, Vietnamese, etc..)*

The top line shall be in at least one and three fourths inch (4.4 cm) type. The second line shall be in at least one inch (2.5 cm) type. The third line shall be in at least three fourths inch (1.9 cm) type. The last line shall be in at least 48 point type. All four lines shall be in Sans Serif, Gothic or Block type. The line spacing shall be equal or greater to the height of the upper line. The legend shall be written in English, Spanish and in any other language predominant in the area surrounding the solid waste facility.



*Disposal site records must be kept with additional information as required in Title 22.*

(2) In addition to disposal site records specified in article 7.3 of chapter 3 of this division (commencing with section 17636), maintain the additional information required by article 5, chapter 15, division 4.5, title 22, CCR as it relates to hazardous waste manifests and recordkeeping.

*An adequacy that Title 22 treatment standards are being met. The treatment standards are required for hazardous wastes disposed of in landfills. A generator of waste will include a statement that a waste meets, does not meet the applicable treatment standard.*

(A) The solid waste facility shall comply with the requirements of chapter 18, division 4.5, title 22, CCR as they apply to the notification/certification/treatment of asbestos containing waste prior to land disposal. At a minimum, the solid waste facility should ensure that the asbestos containing waste is adequately wet or treated so that it meets this standard prior to disposal.

*Operating records are required for Title 22 and RCRA Subtitle C disposal sites. The information must be maintained until closure of the disposal site. The operating record (or a complete copy) should be kept on site during the active life of the disposal site.*

(B) The facility shall maintain an operating record as part of the disposal site record. This operating record shall include the following information: the quantity and date of each shipment of asbestos containing waste received, the disposal location(s) of each shipment of asbestos containing waste, a summary report of all incidents which require implementation of the contingency plan, results of inspection required by section 17897.20, and training records as specified in subsection (c)(2)(B) of this section. The operating record shall be maintained until closure of the facility.

*Disposal sites need to provide financial mechanisms for closure and post closure care.*

(3) meet the requirements for financial responsibility for liability claims and closure and post closure as specified in articles 3.3 and 3.5 of chapter 5 of this division.

*These are Title 22 emergency and personnel training requirements:*

(c) The owner or operator shall at a minimum comply with the following additional requirements:

*A contingency plan is an emergency plan. A contingency plan incorporates elements that address releases or other catastrophic events that would require evacuation from an area of the disposal site or the entire disposal site.*

(1) The solid waste facility shall prepare a contingency plan. The contingency plan shall be designed to minimize the hazard to human health or the environment from unplanned sudden or non-sudden release of asbestos containing waste to the air, soil or water. The provisions of this plan shall be carried out immediately when a release could threaten human health or the environment.

*The contingency plan must be in writing. It must include a description of actions to be taken in response to an emergency. It needs to: state the arrangements that were made with emergency authorities; have a list of emergency coordinators; list the equipment available to respond to the emergency; and describe the evacuation plan.*

(A) The contingency plan shall describe the actions facility personnel shall take in response to a release of asbestos containing waste. The plan shall describe arrangements agreed to by local emergency response agencies. The plan shall list names, addresses and telephone numbers of all persons qualified to act as emergency coordinators. This list shall be kept up to date. The plan shall list all emergency equipment located at the facility. This list shall be kept up to date. The plan shall include a description of each item on the list and a brief description of its capabilities. The plan shall describe a signal to begin evacuation, identify routes for evacuation, and identify alternate routes.

*The contingency plan must be kept up to date.*

(B) The contingency plan shall be amended whenever: the regulations change, the plan fails, the facility changes in operation, the list of emergency coordinators changes, or the list of emergency equipment changes.

*Personnel training is required.*

(2) Solid waste facility personnel shall complete a program of classroom instruction or on-the-job training that teaches them to perform their duties in a way which ensures the facility's compliance with these requirements.

*The training program needs to be taught by a qualified person. The training should, at a minimum, familiarize the employees with the contingency plan. Employees need to complete training prior to working alone in the ACW disposal and handling areas. The training must be completed within six months of their hire. Annual reviews are mandatory.*

(A) The training program shall be directed by a person trained in asbestos waste management procedures. At a minimum, the training program shall be designed to ensure that facility personnel are capable of responding effectively to an emergency by familiarizing them with the contingency plan. Personnel shall successfully complete the training described within six months of their assignment to duties which manage asbestos containing waste. Personnel shall also take part in an annual review. No personnel shall work unsupervised until they have completed the training described in this section.

*A Training Plan describing the type and amount of training required and individual training records must be maintained to verify compliance with the above subsection.*

(B) The owner or operator shall maintain the following documents and records at the facility: a job title for each job related to asbestos containing waste management and the name of each person filling that job; a written description of that job title; a written description of the type and amount of training required for that job title; and records documenting that the training had been given.

Note: Authority cited: Section 44820, Public Resources Code.  
References: Section 25143.7, Health and Safety Code.

*The operator of the disposal site needs to conduct daily inspections of items at the disposal area which are essential for control and operation of the disposal site. Examples of items to be inspected include: adequacy of cover, fences, signs, dust suppression equipment, safety equipment, etc.). A written description of the items to be inspected needs to be kept. A log documenting each inspection must become part of the operating record. Entries in the inspection log should indicate the time, date, condition of item, and the individual making*

#### **§17897.20 Inspection Requirements**

The owner or operator of a solid waste facility that disposes of asbestos containing waste shall inspect the facility. This inspection shall include but not be limited to the designated asbestos waste containing area for deterioration, operator errors, problems with cover, leakage and discharges that may be causing or may lead to: (1) releases to the environment; or (2) a threat to human health. The owner or operator shall maintain an inspection schedule that identifies the items to be inspected, the frequency of the inspection and identify the types of problems that are to be looked for during the inspection. The owner or operator shall conduct these inspections often enough to identify problems in time to correct them before they harm human health or the environment but at a minimum of once each operating day. The owner or operator must remedy any deterioration or malfunction of

*the inspection. If a problem is discovered, the operator must take steps to correct the problem in a timely fashion. If the problem would result in an imminent hazard, the operator must take steps immediately.*

equipment or structures which the inspection reveals on a schedule which ensures that the problem does not lead to an environmental or human health hazard. Remedial action must be taken immediately where a hazard is imminent or has already occurred. The owner or operator shall maintain a record of these inspections. Notwithstanding section 17897.19(b)(2)(B), the reports resulting from these inspections need only be kept for three years from the date of the inspection.

Note: Authority cited: Section 44820, Public Resources Code.  
References: Section 25143.7, Health and Safety Code.

### Article 3. Excavation Requirements

#### §17897.21. Excavation Requirements

*Excavation activities need to be conducted so that they do not pose a danger to the public, employees or the environment.*

(a) The owner or operator of any solid waste facility that disposes of asbestos containing waste shall ensure that the excavation or disturbance of buried asbestos containing waste will not pose a danger to the public, employees, and environment.

*An excavation management plan needs to be prepared and submitted at least 45 days prior to an excavation activity. A plan may be submitted greater than 45 days prior to excavation. The plan shall include the following:*

(b) Except as specified in subsection (g) of this section, an excavation management plan shall be prepared and submitted to the Enforcement Agency for review and approval at least 45 days prior to excavating or otherwise disturbing any asbestos containing waste that has been buried at the disposal area. The excavation management plan shall include the following information:

*Self explanatory*

(1) Schedule starting and completion dates.

*A site map indicating the area to be disturbed and its relation to other activities and structures at the disposal site.*

(2) Map showing the location of the area where buried asbestos containing waste is to be excavated or disturbed, locations of on-site structures, and environmental monitoring collection and control systems.

*Purpose of the activity*

(3) Reasons for disturbing the waste.

*The health and safety plan is required to protect the public, workers, and the environment in and around the excavation area. The certified industrial hygienist is required to ensure worker health and safety requirements are being met.*

(4) A health and safety plan identifying the health and safety issues regarding the proposed excavation and measures to be taken to protect public health, worker safety, and the environment. The plan shall be developed and prepared by an industrial hygienist certified by the American Board of Industrial Hygiene. This health and safety plan shall include work practices and engineering controls to be used to protect worker health and safety during excavation.

*Emission controls will probably be dictated by the local air pollution authority.*

(5) Procedures to be used to control emissions during the excavation, storage, transport, and ultimate disposal of the excavated waste. The Enforcement Agency shall consult with the appropriate air quality control district when evaluating the proposed emissions control procedures.

*Location of excavated ACW should be specified in the plan.*

(6) Location of any temporary storage site and the final disposal site.

*A PE or REG certification is to ensure that technical standards will be met.*

(c) The excavation management plan shall be prepared by a professional engineer or engineering geologist registered in California.

*If the dates change, the disposal site must notify the EA of the new date(s).*

(d) If the excavation will begin on a date other than the date specified in the plan, the owner or operator shall notify the Enforcement Agency at least 5 calendar days prior to the rescheduled start date by certified mail. If the completion date is delayed, the owner or operator shall notify the Enforcement Agency of the new completion date at least 2 calendar days before the original scheduled completion date by certified mail.

*The EA needs to evaluate the plan based on:*

(e) In evaluating the proposed excavation management plan, the Enforcement Agency will consider:

*Is this a necessary activity?*

(1) whether the excavation is necessary to the proposed use of the site, and will not increase the potential hazard to human health or the environment;

*Does this reduce a hazard to health or the environment?*

(2) whether the excavation is necessary to reduce a threat to human health, employees, and the environment; and

*Do the local air district or regional water board have specific concerns?*

(3) recommendations of the appropriate air quality control district and the regional water quality control board.

*The EA must respond on the completeness of the plan within 30 days from receipt. The EA must notify the disposal site if it requires additional time to evaluate the plan.*

(f) No later than 30 calendar days from receipt of the plan, the Enforcement Agency shall respond to the applicant regarding completeness of the plan. If the plan is incomplete, the applicant will be notified which parts of the plan are incomplete and the manner with which the plan can be made complete. If additional review time is needed, the applicant will be notified within 30 days of submittal of the plan.

*In an emergency, a excavation management plan does not need to be submitted.*

(g) The 45 day notice is not required if an emergency excavation is performed to prevent or diminish an imminent and substantial endangerment to human health or the environment.

Note: Authority cited: Section 44820, Public Resources Code.

References: Section 25143.7, Health and Safety Code.

#### Article 4. Closure and Post Closure

##### §17897.24 General

*ACW disposal sites need to meet the specific requirements for closure and post closure as required for other disposal sites.*

The owner or operator shall comply with all applicable closure and post closure requirements as specified in article 7.8, chapter 3 and article 3.4, chapter 5 of this division.

Note: Authority cited: Section 44820, Public Resources Code.

References: Section 25143.7, Health and Safety Code.

#### Article 5. LEA Standards and Certification

##### §17897.25 Designated ACW Program

*LEAs may be authorized if they meet the following requirements:*

Local Enforcement Agencies (LEA) shall meet the following requirements before being authorized to enforce this chapter.

*Be a certified LEA program.*

(a) At a minimum, the LEA shall:

(1) meet the certification requirements as described in Article 2.1 of chapter 5 of this division.

*Comply with the appropriate Title 8 training requirements.*

(2) have provided field staff with training in compliance with Title 8 CCR , including but not limited to recognition of asbestos, respiratory protection, and selection and use of personal protective equipment. The LEA shall amend their Injury, Illness and Prevention Plan to comply with this requirement.

*Amend their EPP to address the ACW program.*

(3) submit an Enforcement Program Plan (EPP) amendment which addresses those elements modified by this authorization.

*Have the ability to call upon trained or experienced staff able to collect environmental samples.*

(4) have access to field staff trained in environmental sampling methodology and practice. The training shall include knowledge of sampling technique, field quality assurance/control, sample custody, sample collection and documentation.

*PPE equipment includes air purifying respirators, protective clothing (e.g., tyvek ).*

*Sampling equipment would include sample containers, custody seals, etc..*

(5) provide field staff with equipment necessary to comply with these requirement including but not limited to personal protective equipment and sample collection equipment.

*Submit the application for authorization to Permitting and Enforcement Division.*

(b) The LEA shall make an application for authorization to the Deputy Director of the Permitting and Enforcement Division of the California Integrated Waste Management Board by cover letter with documentation establishing that the requirements of subsection (a) have been met.

*LEA programs not meeting all the requirements may be given provisional authorization until they meet all requirements.*

(c) The Board may make a provisional authorization to an LEA that meets the requirements of subsection (a)(1) and (2) of this section. A provisional authorization may authorize the LEA to implement specific provisions of this chapter. The Board may grant full authorization upon complete compliance with the provisions of this section.

*The Board retains joint authority except when a local program has not been authorized. Then the Board is sole authority to enforce these regulations..*

(d) In jurisdictions where the Board does not authorize a local program, the Board will be the enforcement agency for ACW.

Note: Authority cited: Sections 43200 & 44820, Public Resources Code. References: Title 14, CCR, Division 7, Article 2.1, Chapter 5; Title 8, CCR section 5192.



## HOW DO LAND DISPOSAL RESTRICTIONS APPLY TO ACW DISPOSAL SITES?

For more detailed information on land disposal restrictions in California, refer to: LDR Handbook, A Guide to Land Disposal Restrictions, March 1992. Prepared by DTSC Alternative Technology Division.

All hazardous wastes in California are subject to either state or federal land disposal restrictions. Asbestos Containing Waste (ACW) is subject only to the California requirements in Title 22 CCR, Division 4.5, Chapter 18.

### Restricted vs. Prohibited wastes:

**Restricted wastes** are hazardous wastes which are restricted from disposal to land. **Prohibited wastes** are restricted wastes which have a treatment standard in effect. California regulations make **ALL** hazardous wastes restricted wastes. All shipments of restricted wastes **must** be accompanied or preceded by notification. All shipments of ACW sent for disposal must have an accompanying notification. Typically the notification is sent in advance of the shipment and is kept on file at the disposal site.

### Notification vs. Certification:

A **Notification statement** provides information about restricted waste and its treatment standard(s). A **Certification statement** provides assurance that the waste meets the appropriate treatment standard(s) and may be disposed to land.

Unless a variance or extension is granted, restricted waste becomes a prohibited waste on the effective date of the appropriate treatment standard(s) for that waste. ACW has a treatment standard (22 CCR 66268.114). Shipments of ACW to disposal sites require notifications and certifications. An exception to this requirement is for generators with CA ID numbers issued for residential asbestos abatement or 90 day provisional numbers (see the Text box above). These generators are not required to send a notification and certification.

Title 22 regulations specify that non-RCRA wastes that have been rendered nonhazardous are **not** subject to the state's LDR program. If ACW has been rendered non-hazardous by treatment, it is not subject to the treatment standard.

### ACW Treatment Standards (22 CCR 66268.114)

ACW must be "treated" by one of the following means prior to disposal:

- 1) Mixed to form a slurry, discharge no emissions from the process, seal in leak tight containers or packaging
- 2) Process into a non-friable form

Use an alternative treatment method that achieves a "substantially equivalent or greater level of performance" per section 25179.6(b)(2) Health and Safety Code.

### What can you tell from the EPA ID number?

EPA ID numbers (identification numbers) are assigned to generators, transporters, treaters, storers and disposers of hazardous waste. Identification numbers are necessary to track hazardous wastes from the "cradle to the grave." The identification number is assigned by either U.S. EPA (EPA ID Number) or by the Department of Toxic Substances Control (California ID number). EPA ID numbers are reserved for facilities that generate, transport, store, treat or dispose of RCRA hazardous wastes. ACW is not a RCRA hazardous waste. California does regulate ACW as a hazardous waste. In order to track the generation, transportation, storage, treatment and disposal of California hazardous wastes (non-RCRA waste), DTSC assigns California ID numbers to generators that are not otherwise regulated by RCRA. All identification numbers are twelve digits. Begin with the US Postal Service state abbreviation as the first two digits and are followed by either a letter and nine numbers or ten numbers. For example:

3 letters, 9 numbers  
CAD123456789

2 letters, 10 numbers  
CA1234567890

The following table illustrates the issuing agency and type of identification numbers that can be seen on a hazardous waste manifest.

Identification number begins with:	Issuing agency	Type
CA	US EPA	EPA ID number for federally owned facility
CAD, CAT	US EPA	Permanent EPA ID number
CAP	US EPA	Provisional EPA ID number (temporary number)
CAL	DTSC	Permanent CA ID number (non-RCRA regulated)
CAC	DTSC	CA ID number (temporary)
CAS	DTSC	CA ID number for emergency response ("haz mat incidents")
CAH	DTSC	CA ID number for Household hazardous waste events
CAE	DTSC	CA ID number for natural disasters
CAX	DTSC	no longer valid

## WHAT'S IN AN OPERATING RECORD ?

A written operating record is required at ACW disposal sites and must be kept on-site until closure. The operating record shall include:

- **Description and quantity of ACW received.**
- **Dates of disposal at the site.**
- **Location and quantity of ACW within the facility.** The location of ACW is cross-referenced to manifest document numbers. A map or diagram should note each cell with ACW.
- **Incident reports if contingency plan implemented.**
- **Inspection records and results** (Note: only required to maintain for last 3 years.)
- **Closure cost estimates and post-closure estimates if applicable.**
- **Land disposal restriction records, notices, certification and demonstration, if applicable, per 66268.7 and 66268.8.**

### *How's an Operating Record different from the Disposal Site Records?*

*An Operating Record is required of all hazardous waste treatment, storage and disposal facilities. The operating record contains information about the quantity and location of the waste at the disposal site, closure information, records of inspections, manifests and other related information. The disposal site records only include weight and volume records for incoming waste, subsurface records recording cuts made and depth to the water table, and a log of special occurrences.*

## WHAT'S IN A CONTINGENCY PLAN ?

A contingency plan is required for all ACW disposal sites. A written contingency plan must include the following:

- Description of the actions facility personnel shall take in response to a HW release.
- Arrangements agreed to by applicable state and local emergency authorities.
- Updated list of emergency coordinators with names, addresses and phone numbers (office and home).
- List of all emergency equipment, location, and capabilities.
- Evacuation plan for facility personnel with evacuation signals, evacuation routes and alternate routes.
- Current telephone number of Office of Emergency Services.

### *If they already have a Business Plan, do they need to prepare a Contingency Plan?*

*State Law requires that businesses that have regulated quantities or types of hazardous materials to file disclosure information and plans with emergency planning and response agencies. Health and Safety Code, Chapter 6.95. Hazardous Materials Release Response Plans and Inventory is where the state law is found. Essentially, the business plans filed under chapter 6.95 meet the requirements of the contingency plan. However, a business plan must address the following areas to meet the contingency plan requirements:*

- *the specific procedures for evaluating the characteristics and impacts of incidents involving a release, evaluating the need for evacuation of the adjacent areas, cleaning and repairing emergency equipment and noting the incident in the operating record*
- *the address of the emergency coordinator and alternates in the order in which they will assume responsibility*
- *a description of the arrangements made with local emergency agencies*
- *specific evacuation routes and alternate routes*
- *a list of all the emergency equipment located at the site identifying the location, description and capabilities of the emergency equipment*

Copies of contingency plan shall be submitted to following:

- local police departments
- fire departments
- hospitals
- State and local emergency response teams

Contingency plan shall be amended whenever:

- applicable regulations are revised
- the plan fails in an emergency
- the facility changes its design, construction, operation, maintenance
- the list of emergency coordinators changes
- the list of emergency equipment changes.

## WHEN ARE INSPECTIONS REQUIRED ?

A written inspection schedule is required for ACW disposal sites. These are self monitoring inspections conducted by the operator of the disposal site. An inspection schedule must include the following:

- all safety and emergency equipment
- security devices
- operating and structural equipment
- identify types of problems (malfunctions or deterioration)
- specify items and frequency for inspections

Inspection records shall be recorded in an inspection log for three years from the date of the inspection and include at a minimum:

- date and time of inspection
- name of the inspector
- notation of observations made
- date and nature of repairs or remedial actions.

## WHAT SHOULD BE IN A TRAINING PROGRAM ?

The following requirements apply to training programs for ACW disposal sites.

Minimum Standards for Training Programs (to be completed within six months):

To ensure that personnel are able to respond effectively to emergencies, the training program must familiarize them with the following emergency procedures, emergency equipment, and emergency systems, where applicable:

- procedures for using, inspecting, repairing, and replacing facility emergency equipment
- communications or alarm systems
- response to fires or explosions
- shutdown of operations

The training program should also include training which familiarizes employees with recognition and appropriate management of ACW contaminated with another hazardous waste.

The owner or operator must maintain the following documents at the disposal site:

- job title for each position related to ACW
- name of employee filling each position
- written job description for each position, including:
  - requisite skill, education, or other qualifications
  - duties of facility personnel assigned to each position
- written description of type and amount of both introductory and continuing education for persons filling a position

- records documenting that personnel have received and completed the required training or job experience

Asbestos Containing Waste Disposal Site  
Inspection Report Addendum

This inspection report form is to be used in conjunction with the Disposal Site Inspection Report (CIWMB-52)

Enforcement Agency: \_\_\_\_\_

Page \_\_\_\_\_ of \_\_\_\_\_

FACILITY FILE NUMBER

PROGRAM CODE

INSPECTION DATE

TIME IN

INSPECTION TIME

LOCAL = L STATE = S

MM

DD

YY

TIME OUT

FACILITY / OPERATION NAME

RECEIVED BY

OPERATOR

OWNER

FACILITY LOCATION / ADDRESS

ALSO PRESENT

INSPECTOR

INSPECTOR SIGNATURE

THE ABOVE OPERATION/FACILITY WAS INSPECTED FOR COMPLIANCE WITH APPLICABLE SECTIONS OF DIVISION 30 OF THE PUBLIC RESOURCES CODE (PRC) AND TITLE 14 CALIFORNIA CODE OF REGULATIONS (CCR).

THE STANDARDS BELOW ARE CONSIDERED IN COMPLIANCE UNLESS OTHERWISE MARKED WITH ONE OF THE FOLLOWING: V = VIOLATION A = AREA OF CONCERN NA = NOT APPLICABLE

## PERMITS

V A NA

PRC 44002 - OPERATOR AUTHORIZED BY SWF PERMIT

PRC 44004 - SIGNIFICANT CHANGE

PRC 44014(b) - OPERATOR COMPLIES WITH TERMS &amp; CONDITIONS

18213(b) - PERMIT REVIEW APPLICATION

18222 - REPORT OF DISPOSAL SITE INFORMATION

## GENERAL STANDARDS

17897.16 - GENERAL STANDARDS

## DESIGN AND OPERATING REQUIREMENTS

17897.18(a) - DESIGNATED ACW DISPOSAL AREA

17897.18(b) - SITE CONTROL PROGRAM

17897.18(c) - ACW NOT DISPOSED WITH REFUSE

17897.18(d) - CONTROL OF VISIBLE EMISSIONS

17897.18(e) - MAINTAIN INTEGRITY OF CONTAINERS

17897.18(f) - COMPACTING ACW

17897.18(g) - COVER

17897.18(h) - COVER FREQUENCY

## ADDITIONAL REQUIREMENTS

17897.19(a) - EPA ID NUMBER

17897.19(b)(1) - SITE SECURITY

17897.19(b)(1)(A) - SURVEILLANCE

17897.19(b)(1)(B) - WARNING SIGN

17897.20 - INSPECTION REQUIREMENTS

## RECORD KEEPING

17897.19(b)(2) - DISPOSAL SITE RECORD

17897.19(b)(2)(A) - LAND DISPOSAL RESTRICTIONS

17897.19(b)(2)(B) - OPERATING RECORD

17897.19(b)(3) - FINANCIAL RESPONSIBILITY

17897.19(c)(1) - CONTINGENCY PLAN

17897.19(c)(2) - PERSONNEL TRAINING

## EXCAVATION

17897.21 - PREPARE PLAN

17897.21 - SUBMIT PLAN FOR APPROVAL

## CLOSURE

17897.24 - COMPLY WITH CLOSURE/POST CLOSURE REQUIREMENTS

## OTHER

IF THIS BOX IS CHECKED, REFER TO DISPOSAL SITE INSPECTION REPORT (CIWMB-52) FOR ADDITIONAL INFORMATION

COMMENTS (USE SWIS-03 FOR ADDITIONAL SPACE)

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STATE OF CALIFORNIA

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

## Local Enforcement Agency Application for ASBESTOS CONTAINING WASTE PROGRAM AUTHORIZATION

FOR AGENCY USE ONLY:

Received by Deputy Director. \_\_\_\_\_  
Reviewed by LEA Branch staff \_\_\_\_\_  
Reviewed by Permits Branch staff \_\_\_\_\_  
Reviewed by Enforcement Branch staff \_\_\_\_\_  
Reviewed by Health and Safety Branch staff \_\_\_\_\_

LEA Jurisdiction \_\_\_\_\_ Contact Person \_\_\_\_\_ Phone \_\_\_\_\_

List the facility (s) (per 14 CCR 17897.10) in your jurisdiction disposing of asbestos containing waste (ACW). Include Site Name, SWIS number, Address.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### Authorization Type Requested (14 CCR 17897.25(c)) Check Applicable Box.

☐ Provisional Authorization - LEA meets requirements per 14 CCR 17897.25 (a) (1) and (2).

LEA enforcement authorization for Sections 17897.15 -.16, and 17897.19(a-c) only.

- 1) Applicant is a Local Enforcement Agency.
- 2) LEA Director certifies that field staff have been provided training per 14 CCR 17897.25 (a)(2) and the Illness, Injury Prevention Plan has been amended in accordance with Title 8.

☐ Full Authorization - LEA meets requirements per 14 CCR 17897.25 (a) (1-5). LEA enforcement authorization for all of Chapter 3.5, Articles 1-4.

- 1) Applicant is a Local Enforcement Agency.
- 2) LEA Director certifies that field staff have been provided training per 14 CCR 17897.25 (a)(2) and the Illness, Injury Prevention Plan has been amended in accordance with Title 8.
- 3) Attached are amended components of the Enforcement Program Plan (EPP) addressing the elements modified as a result of this authorization. (i.e. EPP components 2, 6, 7, 10, and 12).
- 4) LEA Director certifies that field staff have been provided training per 14 CCR 17897.25(a)(4).
- 5) LEA Director certifies that field staff have been provided the necessary equipment to comply with this authorization.

☐ This agency is not requesting authorization at this time and understands the enforcement responsibilities for Title 14, Division 7, Chapter 3.5 will default to the CIWMB.

*The applicant certifies, under penalty of perjury, that all information submitted for the California Integrated Waste Management Board's consideration to enforce the Asbestos Containing Waste program is, to the best of his/her knowledge and belief, true and correct.*

Name of LEA Program Director \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

Please mail this application with any supporting documentation to the Deputy Director, Permitting and Enforcement Division, 8800 Cal Center Drive, Sacramento, CA 95826.

ASBESTOS - AUTHORIZED ACW PROGRAM  
BOARD STAFF PROGRAM

Provided below is the IWMB ACW Program for health and safety. All predesignated field staff are required to participate in all aspects of this program. Note: Refer to the IWMB Field Health and Safety Program for more detail. Reference:

**Article 5. LEA Standards and Certification**

**§17897.25 Designated ACW Program**

*Comply with the appropriate  
Title 8 training requirements.*

(2) have provided field staff with training in compliance with Title 8 CCR, including but not limited to recognition of asbestos, respiratory protection, and selection and use of personal protective equipment. The LEA shall amend their Injury, Illness and Prevention Plan to comply with this requirement.

1. Health & Safety Training

- **Annual asbestos recognition training.** Board staff are provided with a 2 hour health and safety training emphasizing asbestos recognition. The training covers asbestos mineral types and physical properties; health effects of asbestos; detection, identification, and assessment of ACM; options for controlling ACM; relevant federal and state regulations; and asbestos waste management. The training has been provided by a consultant that maintains AHERA and Industrial Hygiene certification. (Note: The training met EPA AHERA requirements - Training should meet regulatory requirements of CCR, T8, Section 5208, Asbestos) Past training has included mock dress out drills for asbestos sampling.
- **Respiratory protection training.** Board staff are provided with annual respiratory protection training. This training covers classifications, description and limitations of respirators; selection of respirators; use of respirators, maintenance of respirators; and provides quantitative fit testing of respiratory protection. (Training meets regulatory requirements of CCR, T8, Section 5144, Respiratory Protective Equipment.)
- **General health and safety field training.** Board staff are required to take an initial 40 hours health and safety recognition training. This training reviews occupational hazards, hazard controls, personal protection, principles of air monitoring, hazard assessment and control, and emergency response. Annually staff are required to attend an 8-hour refresher training course reviewing the above material. (Training meets Board policy and meets regulatory requirements of CCR, T8, Section 3203, Injury, Illness Protection Program and CCR, T8, Section 5192, Hazardous Waste Operations and Emergency Response.)

## 2. Medical Surveillance Program

Board policy also requires Tier 1 employees to participate in the Medical Surveillance Program. This program monitors the health status of the employee to detect the presence of work-related illness at an early stage to halt or reverse disease. It also evaluates the fitness of field staff to ensure that only those medically sound participate in field operations.

*PPE equipment includes air purifying respirators, protective clothing (e.g., tyvek).*

*Sampling equipment would include sample containers, custody seals, etc..*

(5) provide field staff with equipment necessary to comply with these requirement including but not limited to personal protective equipment and sample collection equipment.

## 3. Personal Protective & Sampling Equipment

**Personal Protective Equipment.** Field staff are required to use personal protective equipment (PPE) when performing tasks which may create a hazard or potential hazards. No single combination of protective equipment and clothing is capable of protecting against all hazard. Thus, staff are reminded that PPE should be used in conjunction with other protective methods. All IWMB staff are directed to follow proper procedure and wear the required personal protection. Selection of PPE is based upon the working tasks performed. The following items are made available to staff for ACW inspection and sampling:

- disposable coveralls, tyvek
- air purifying respirators with HEPA cartridges
- disposable hand protection (optional)
- foot protection

### Sampling Equipment

*Sampling equipment would include sample containers, custody seals, etc..*  
*Reference HML Users Manual*